

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

STATE OF NEW YORK, *et al*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al*,

Defendants.

No. 1:25-cv-11221-WGY

**PLAINTIFF-INTERVENOR ALLIANCE FOR CLEAN ENERGY NEW YORK'S
MOTION FOR SUMMARY JUDGMENT**

Now comes Plaintiff-Intervenor Alliance for Clean Energy New York (“ACE NY”), by and through its undersigned counsel, and respectfully submits this Motion for Summary Judgment. ACE NY challenges the decisions of Defendant agencies to adopt and implement a total and indefinite ban on any new or renewed federal agency “approvals, rights of way, permits, leases, or loans” needed for wind energy development pursuant to section 2(a) of the Presidential Memorandum entitled *Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government’s Leasing and Permitting Practices for Wind Projects*, 90 Fed. Reg. 8363 (Jan. 29, 2025) (“Wind Directive”). ACE NY respectfully requests that this Court find that Defendant agencies violated the Administrative Procedure Act, 5 U.S.C. § 706(2) and vacate Defendant agencies’ adoption and implementation of the Wind Directive.

Attached to this motion are the following:

1. ACE NY’s Memorandum of Law in Support of Motion for Summary Judgment.

2. Second Supplemental Declaration of Marguerite Wells, Executive Director of ACE NY. This declaration sets forth that ACE NY wind energy members operate in 49 states across the nation. Currently ACE NY members have wind energy projects under development in 32 states. ACE NY members have wind energy manufacturing facilities, provide service vessels, sell, operate, or otherwise do business in 17 additional states.
3. Supplemental Declaration of Elizabeth Burdock. This declaration is provided by the Director of the Oceanic Network, Inc, a trade association that is a member of ACE NY, with over 300 members operating in the wind energy supply chain. The declaration and its exhibits describe ongoing harms to the wind energy industry associated with the wind permitting stoppage, and provide information that updates Ms. Burdock's previous declaration.
4. Proposed Order Granting Summary Judgment for Plaintiffs.

Dated: August 8, 2025

Respectfully submitted,

BEVERIDGE & DIAMOND, P.C.

/s/ Brook J. Detterman

Brook J. Detterman, BBO No. 675396

James M. Auslander, *pro hac vice*

155 Federal Street

Suite 1600

Boston, MA 02110-1716

(617) 419-2345

bdetterman@bdlaw.com

jauslander@bdlaw.com

*Attorneys for Proposed Intervenor-Plaintiff
Alliance for Clean Energy New York*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was electronically filed on August 8, 2025. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

BEVERIDGE & DIAMOND, P.C.

/s/ Brook J. Detterman

Brook J. Detterman, BBO No. 675396

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Suite 1600

Boston, MA 02110-1716

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bdetterman@bdlaw.com